



April 12, 2019

Mr. Michael Morisy
MuckRock News
Dept. MR 6426
411A Highland Avenue
Somerville, MA 02144-2516

RE: FOIA Case No. 2018-FPRO-00167

Dear Mr. Morisy:

This is in response to your Freedom of Information Act (FOIA) request in which you seek access to Postal Service records regarding policies created around the USPS's Mail Isolation Control and Tracking Program, including policies regarding access to the data, guides for gathering the data, and any briefs or presentations created about the program. We apologize for the delay in responding to your request.

The FOIA, 5 U.S.C. § 552, is a records and document statute. Identification of the record(s) desired is the responsibility of the requester. The FOIA requires the requester to reasonably describe the records being sought. A description is considered reasonable if it permits an agency employee who is familiar with the subject area to locate the requested records with a "reasonable" amount of effort. It is the requester's responsibility to frame requests with sufficient particularity to ensure that searches are not unreasonably burdensome, and to enable the searching agency to determine precisely what records are being requested. A request for any and all records about a broad category is generally not considered to meet the reasonable description requirement.

Overall, your request is extremely broad and involves a large timeframe. We note that you did not limit the search of documents to a specific department or geographic area of interest such as Headquarters or a certain field office. Accordingly, we will need more definitive information concerning the records you seek. If you choose to clarify your request for records, please be advised that the Postal Service's regulations, found at 39 C.F.R. § 265.3(c), provide guidance on how to submit a FOIA request.

That guidance provides that requesters should, whenever possible, include specific information about each record sought, such as the type of record (e.g., contract, report, memorandum, etc.); the title or case number of a specific document or report; the topic of the subject matter; the name of the office, facility, functional unit or employees most likely to possess the record; the geographic location, such as a city and state, where the records are thought to exist; the date or general timeframe of the record's creation; and any details related to the purpose of the record. Requests for email records should specify the likely senders and recipients, keywords, and a range of dates. If seeking information about a company, requesters should provide the exact name and address of the company (many companies have similar names). Before submitting requests, requesters may contact the relevant Postal Service FOIA Requester Service Center to discuss the records they are seeking and to receive assistance in describing the records.

Given that your request cannot be processed as formulated, we plan to take no further action unless we hear back from you. If we do not receive your clarification about the records sought within 30 calendar days from the date of this letter, we will administratively close out this request.

To the extent you are seeking information regarding mail covers or mail tracing, the Chief Postal Inspector is the "principal officer" of the Postal Service in the administration of all matters governing these topics. 39 CFR § 233.3(d). If you are interested in submitting a proper (reasonably described) FOIA request for records maintained by the Postal Inspection Service, please submit your request directly to:

Office of Counsel
US Postal Inspection Service
475 L'Enfant Plaza SW, Room 3301
Washington, DC 20260-1101
Fax: (202) 268-4538

In an effort to help you potentially clarify the documents you may be specifically interested in reviewing, we offer the following information:

The Postal Service respects the privacy of its customers and the sanctity of the mail. It does not monitor the mail of its customers and it does not maintain any system or program of "surveillance."

Mail Isolation, Control and Tracking (MICT) referred to a set of safety procedures developed in response to the anthrax mailings that occurred in October of 2001. To clarify the true nature of these procedures, they are now referred to separately as "mail isolation and control" and "mail tracing." "Mail isolation and control" procedures are primarily conducted by USPS employees whereas "mail tracing" is an investigative technique used by the United States Postal Inspection Service. The purpose of both is to protect Postal Service employees and the American public in the event a known contaminated piece of mail has been processed through postal equipment.

After a contaminated mail piece is identified, Postal Service employees use "mail isolation and control" procedures to identify, locate, and recall if necessary any additional mail and equipment that is potentially contaminated. The employees primarily rely on transportation and vehicle route data to locate potentially contaminated mail and equipment so that it can be isolated and appropriate health and safety measures can be taken.

"Mail tracing" refers to an investigative technique utilized by the United States Postal Inspection Service to trace the path of potentially contaminated mail pieces through the mail stream and to help locate the possible source of the contamination. Much of this gathered information serves a law enforcement purpose and it may be used in subsequent criminal prosecutions.

Furthermore, mail imaging is not a "surveillance" tool – it is a mail processing tool. Mail imaging is a process developed by the Postal Service in the early 1990's that allowed for the automation of mail processing. Individual mail processing machines create images that make it possible for machines, rather than people, to sort mail, thereby reducing costs and increasing speed and accuracy of delivery. Those images reside locally at the processing plant and are generally maintained for a matter of minutes. They are not stored in a database, nor do they exist in a format that allows them to be mined or analyzed electronically.

In some limited circumstances, certain digital images that meet requested specifications can be gathered and retained for periods of time up to 120 days to be used for a variety of operational, revenue protection, and other authorized purposes. Postal regulations set forth in the USPS Administrative Support Manual (ASM), Subpart 274.5 (see the copy attached) address and limit the use of these images.

If you are not satisfied with the response to this request, you may file an administrative appeal within 90 days of the date of this response letter by writing to the General Counsel U.S. Postal Service 475 L'Enfant Plaza SW Washington, DC 20260 or via email at FOIAAppeal@usps.gov. Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. The letter of appeal should include, as applicable:

- (1) A copy of the request, of any notification of denial or other action, and of any other related correspondence;
- (2) The FOIA tracking number assigned to the request;
- (3) A statement of the action, or failure to act, from which the appeal is taken;
- (4) A statement identifying the specific redactions to responsive records that the requester is challenging;
- (5) A statement of the relief sought; and
- (6) A statement of the reasons why the requester believes the action or failure to act is erroneous.

For further assistance and to discuss any aspect of your request, you may contact FOIA Public Liaison listed below:

PRIVACY & RECORDS OFFICE
US POSTAL SERVICE
475 L'ENFANT PLAZA SW RM 1P830
WASHINGTON DC 20260-1101
Phone: (202) 268-2608
Fax: (202) 268-5353
FOIA Public Liaison: Jane Eyre

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Cheryl Woody
Sr. Govt. Information Specialist